

§ 190.11

§ 190.11 Availability of informal guidance and interpretive assistance.

(a) *Availability of telephonic and Internet assistance.* (1) PHMSA has established a website on the Internet and a telephone line at the Office of Pipeline Safety headquarters where small operators and others can obtain information on and advice about compliance with pipeline safety regulations, 49 CFR parts 190–199. The website and telephone line are staffed by personnel from PHMSA’s Office of Pipeline Safety from 9:00 a.m. through 5:00 p.m., Eastern time, Monday through Friday, except Federal holidays. When the lines are not staffed, individuals may leave a recorded voicemail message, or post a message at the OPS website. All messages will receive a response by the following business day. The telephone number for the OPS information line is (202) 366–0918 and the OPS website can be accessed via the Internet at <http://ops.dot.gov>.

(2) PHMSA’s Office of the Chief Counsel (OCC) is available to answer questions concerning Federal pipeline safety law, 49 U.S.C. 60101 *et seq.* OCC may be contacted by telephone (202–366–4400) from 9:00 a.m. to 4:00 p.m. Eastern time, Monday through Friday, except Federal holidays. Information and guidance concerning Federal pipeline safety law may also be obtained by contacting OCC via the Internet at <http://rspa-atty.dot.gov>.

(b) *Availability of Written Interpretations.* (1) A written regulatory interpretation, response to a question, or an opinion concerning a pipeline safety issue may be obtained by submitting a written request to the Office of Pipeline Safety (DPS–10), PHMSA, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590–0001. The requestor must include his or her return address and should also include a daytime telephone number.

(2) A written interpretation regarding Federal pipeline safety law, 49 U.S.C. 60101 *et seq.*, may be obtained from the Office of the Chief Counsel, PHMSA, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590–0001. The requestor must include his or her return address

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and should also include a daytime telephone number.

[62 FR 24057, May 2, 1997; 62 FR 34415, June 26, 1997, as amended at 70 FR 11137, Mar. 8, 2005]

Subpart B—Enforcement

§ 190.201 Purpose and scope.

(a) This subpart describes the enforcement authority and sanctions exercised by the Associate Administrator, OPS for achieving and maintaining pipeline safety. It also prescribes the procedures governing the exercise of that authority and the imposition of those sanctions.

(b) A person who is the subject of action pursuant to this subpart may be represented by legal counsel at all stages of the proceeding.

[45 FR 20413, Mar. 27, 1980, as amended by Amdt. 190–6, 61 FR 18513, Apr. 26, 1996]

§ 190.203 Inspections and investigations.

(a) Officers, employees, or agents authorized by the Associate Administrator for Pipeline Safety, PHMSA, upon presenting appropriate credentials, are authorized to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties are relevant to determining the compliance of such persons with the requirements of 49 U.S.C. 60101 *et seq.*, or regulations or orders issued thereunder.

(b) Inspections are ordinarily conducted pursuant to one of the following:

(1) Routine scheduling by the Regional Director of the Region in which the facility is located;

(2) A complaint received from a member of the public;

(3) Information obtained from a previous inspection;

(4) Report from a State Agency participating in the Federal Program under 49 U.S.C. 60105;

(5) Pipeline accident or incident; or

(6) Whenever deemed appropriate by the Administrator, PHMSA or his designee.

(c) If, after an inspection, the Associate Administrator, OPS believes that